

To Anthony Doan Council Chair and Council Members,

My name is Steve Simpson, and I represent The Seattle Area Pipe Trades, and this is my written testimony in opposition to log 21-GP2-057.

- I served on the SBCC for 9 years representing the building and construction trades.
- Vice chair (2015)
- Council Chair (2016 – 2018)
- Plumbing TAG chair for all 9 years.
- I am Certified Journeyman Plumber since 2003.
- Currently on the Plumbing TAG representing the building and construction trades.

At the Plumbing TAG meeting dated May 25, 2022 log 21-GP2 -057 was rejected by a unanimous vote of all TAG members present. The discussion on the amendment was around several factors. The first discussion the TAG group had to do with was WAC 51-04-020 as it clearly states the criteria for a statewide amendment. (See below)

Group 2 amendments following the timeline.

(4) The council will accept and consider compliant petitions for all other statewide amendments to the state building code if one or more of the following criteria are met:

(a) The amendment is directed by the legislature.

(b) The amendment is necessary for code correlation, correction of errors, language clarification, or section update; or

(c) The council determines that the amendment would serve a critical public interest and requires immediate/accelerated action.

(5) The council shall review proposed new statewide amendments and approve those meeting the appropriate criteria to file as proposed rules in accordance with chapter 34.05 RCW. The proposed rules filing shall include a small business economic impact statement in accordance with chapter 19.85 RCW

WAC 51-04-025 Procedure for submittal of proposed statewide amendments.

(1) Statewide and emergency statewide amendments to the state building code shall conform to the purposes, objectives, and standards prescribed in RCW [19.27.020](#).

~~((All proposed))~~ Applications for proposed statewide amendments shall be complete, include a detailed economic analysis of impacts of the proposed statewide amendment and be submitted in writing to the council, on the form provided by the council. The amendment must address existing model code language; a change in the model codes since a previous edition; or an existing state or local amendment to the model code; or a portion of the state code other than the model code. The state building code council shall consider the action of the model code organizations in their consideration of these proposals.

Statewide and emergency statewide amendments to the state building code shall be based on one of the following criteria:

- (a) The amendment is needed to address a critical life/safety need.
- (b) The amendment clarifies the intent or application of the code.
- (c) The amendment is necessary for consistency with state or federal laws and regulations.
- (d) The amendment corrects errors and omissions.
- (e) The amendment eliminates an obsolete, conflicting, duplicating or unnecessary regulation

The amendment does not meet any of the requirements listed above. In fact, it will serve the public in a negative way. The Air Admittance Valve (AAV) is a mechanical device used to protect the fixture trap seal. All mechanical devices are subject to failures. These devices are not tested to the same criteria as a vent test of 5 psi. (Pounds per square inch) per manufacture's requirements, they are installed at trim stage. Thus, the AAV is never tested after install and approximately 1/3rd of these devices would fail a waste and vent test.

There are several negative ramifications if this amendment is enacted. This will incur cost to the consumer, in some cases \$400.00 to \$600.00 dollar range. (Will vary depending on the company you chose and location of the structure.) When these devices fail, they leak sewer gases into the house or space. This will be a significant problem of public health and safety. The immune compromised, elderly and children will potentially be put in risk of respiratory issues and other related health issues.

The unamended version of Uniform Plumbing Code protects the trap seals with a continuous vent through the roof. This system will allow the free movement of air and prevent negative or back pressure from losing your trap seal. The AAV only protects against one of the two conditions (negative pressure), because it is an air inlet only.

The second discussion was around the use of Chapter 3 alternate means and methods. The proponent said that this was too cumbersome of a requirement, however this pathway allows the use of these devices and requires the AHJ to alert the building owner in writing that this mechanical device is installed and the location of the device thus, protecting the occupants of the building by making them aware of the devices.

It was my highest honor to serve on this council, as chair of this council I took it as my responsibility to follow the SBCC bylaws, RCW's and the relevant WAC's that govern the actions of this council. This amendment as published in the CR 102 would insert all this new language into the code adding to the confusion of installers, designers, and inspectors.

In closing this amendment is not good for Public Health and Safety, it will incur consumer costs, and this amendment will create confusion on implementation of this new amended language. I appreciate you taking the time to look at this issue and would like you to deny this proposal and have the proponent bring back a revised proposal for the TAG to consider the 2024 code cycle.

Thank You

Steve Simpson

Seattle Area Pipetrades

ssimpson@seattlepipetrades.org

425 271-5900 ext. 142

